

REGULAR

25

NOVEMBER 2008

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Jason Bullock. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Absent
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Judge Jones that the Court approve the minutes of the Regular meeting on November 4, 2008 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the Bills, Claims, Payments, and Transfers as presented (copy on file, Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the Treasurer’s Financial Statement for the month of October 2008 as presented (copy on file, Clerk’s office).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the following Resolution adopting and approving the execution of a Rural Secondary Emergency Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid.

RESOLUTION

Fiscal Court of Ohio County

Resolution adopting and approving the execution of a Rural Secondary Emergency execution of a Rural Secondary Emergency Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid.

Be it resolved by the Fiscal Court that:

The Fiscal court does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Agreement and does hereby accept said Agreement and by such acceptance agrees to all the terms and conditions therein stated; and,

The County Judge Executive of the county is hereby authorized and directed to sign said Agreement as set forth on behalf of the Fiscal Court of Ohio County, and the County Clerk of Ohio County is hereby authorized and directed to certify thereto.

The vote taken on said Resolution, the result being as follows:

AYES

NAYS

Magistrate Hayward D. Minton  
Magistrate Jason Bullock  
Magistrate Larry Keown  
Magistrate Bill Burden  
Judge Executive David Jones

Magistrate Richard Robinson – Absent

COMMONWEALTH OF KENTUCKY ) SS:

OHIO COUNTY)

I, Bess Ralph, County Clerk of Ohio County certify that the foregoing is a true copy of the Order above. Given under by hand and seal of office this the 25<sup>th</sup> day of November, 2008.

SIGNED \_\_\_\_\_

CLERK OF OHIO COUNTY

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation made by Judge Jones that the Court approve to appoint Kitty King to the Ohio County Airport Board for a term to expire May 12, 2010 to fill the term vacated by the resignation of Tim Karn.

Roll call vote:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

REGULAR

25

NOVEMBER 2008

Recommendation made by Judge Jones that the Court approve to reappoint William Michael Jones to the Ohio County Library Board for a term to expire June 30, 2012.

Roll call vote:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Judge Jones that the Court approve to authorize the County Attorney to write a letter to the Ohio County Hospital Administrator asking that the Fiscal Court be allowed to have input into the selection of Hospital Board Members.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to pay 50%, or \$8,750, on the cost of a new van from Moore Ford for use in the Litter Abatement Program.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go into Closed Session for discussions of pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into closed session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into closed session is for discussion of pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to authorize and direct that Greg Hill, Ohio County Attorney serve as the County’s representative for all purposes in litigation presently pending in the Ohio Circuit Court styled Ohio County Fiscal Court v. Hunsaker, Johnson and Clark.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to appoint Cheryl Morris as Assistant Ohio County Treasurer which she shall perform in addition to other duties she is required to perform as a current employee of the County and for no additional compensation. Ms. Morris is directed to secure from the Kentucky Association of Counties All Lines Insurance any bonding for the performance of her duties as required by law. Until rescinded by this Court, Ms. Morris is authorized to sign warrants and other negotiable instruments for payment of County employees’ wages in the absence of the Ohio County Treasurer. All warrants signed by Ms. Morris as Assistant County Treasurer must be personally co-signed by the County Judge Executive.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	No
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

Said motion having carried four (4) to one (1) it is so ordered.

Motion made by Esq. Keown that the Court approve to allow David Johnston to live in the mobile home residence at the Ohio County Park up to ninety days or until March 2, 2009 with rent due of \$100 per month plus the costs of electricity and water.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the meeting is adjourned.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Absent
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

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David Jones, Judge Executive

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Cheryl Morris, Fiscal Court Clerk